

UNITED STATES DISTRICT COURT
for the
**U.S. DISTRICT COURT
SAVANNAH DIV.**

Southern District of Georgia
 Statesboro Division

2008 DEC -4 AM 9:45

CLERK

SO DIST. OF GA.

United States of America

v.

Sylvester Greene

Date of Previous Judgment: October 8, 1996

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR696-00004007

) USM No: 09107-021

) Randy C. Anderson

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 32

Amended Offense Level: 30

Criminal History Category: V

Criminal History Category: V

Previous Guideline Range: 188 to 235 months

Amended Guideline Range: 151 to 188 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain): _____

III. ADDITIONAL COMMENTS

The Court has denied the motion for reduction of sentence based on factors identified in 18 U.S.C. § 3553(a), namely the history and characteristics of the defendant and the need to protect the public from further crimes of the defendant. The defendant's Bureau of Prisons' disciplinary record is horrible. He has been cited on numerous occasions for refusing work assignments, refusing to obey orders, and possessing intoxicants. The defendant continues to refuse to abide by the laws and regulations of our society.

Except as provided above, all provisions of the judgment dated October 8, 1996, shall remain in effect.

IT IS SO ORDERED.

Order Date: 10-4-08


 Judge's signature

Effective Date:

 (if different from order date)

B. Avant Edenfield
 United States District Judge
 For the Southern District of Georgia

Printed name and title